

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MAGDA LE DONNE D.B.A. LES PETITS PRINCES DAY CARE, SP 2014-DR-012 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 6704 Old Chesterbrook Rd., McLean, 22101, on approx. 10,500 sq. ft. of land zoned R-3. Dranesville District. Tax Map 30-4 ((17)) 108. (Admin. moved from 5/21/14 at appl. req.) Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on September 17, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The lessee of the property is the applicant.
2. The owner is annotated/reflected on the affidavit.
3. The present zoning is R-3.
4. The lot area is 10,500 square feet.
5. Staff recommends approval.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Magda LeDonne, d.b.a. Les Petits Princes Day Care, d.b.a. Les Petits Princes, LLC, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6704 Old Chesterbrook Road, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "House Location Survey, Lot 108, Section 4, McLean Manor" prepared by Albrecht-Patterson & Assoc., as revised by the applicant, Magda LeDonne, on January 29, 2014, and approved with this application, as qualified by these development conditions.

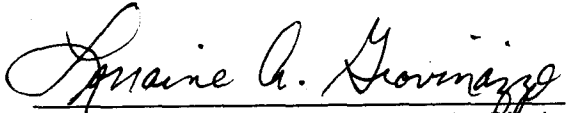
3. A copy of this special permit **SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY** of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. All pick-up and drop-off of children shall take place in the driveway.
8. A minimum of five parking spaces shall be provided on the subject parcel, within the areas of existing paving. No one shall be allowed to park in the carport during the hours of the operation of the facility.
9. There shall be no signage associated with the home child care facility.
10. The infant napping area formerly located in the basement shall be relocated to the top floor of the dwelling. The toddler napping area may remain in the basement in an area that has adequate emergency egress.
11. The applicant shall ensure that building permits are obtained and finalized for the covered patio and deck to the north of the dwelling within 90 days.
12. The facility shall have no more than two assistants at any one time.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Hammack seconded the motion, which carried by a vote of 7-0.

A Copy Teste:

A handwritten signature in cursive script, reading "Lorraine A. Giovinazzo". The signature is written in dark ink and is positioned above a horizontal line.

Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals